

LB
09/30/04
Item #18

AN ORDINANCE

99809

AUTHORIZING THE EXECUTION OF A THREE (3)-YEAR LICENSE AGREEMENT WITH SECURITY SERVICE FEDERAL CREDIT UNION TO PROVIDE THE ALAMODOME WITH TWO (2) AUTOMATIC TELLER MACHINES AND SIGNAGE IN EXCHANGE FOR PAYMENT TO THE CITY OF COMMISSIONS ON FOREIGN TRANSACTIONS IN THE AMOUNT OF \$0.50 PER WITHDRAWAL OR ADVANCE TRANSACTION, COMMENCING OCTOBER 1, 2004, AND EXPIRING SEPTEMBER 30, 2007, WITH A THREE (3)-YEAR RENEWAL TERM, SUBJECT TO CITY COUNCIL APPROVAL.

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WHEREAS, Bank of America and Security Service Federal Credit Union ("Security Service") began operating Automatic Teller Machines ("ATMs") in the Alamodome in 1993 and 1994, respectively, but in summer 2003 both institutions advised the City it was no longer financially feasible to operate ATMs in the facility because of the decrease in transaction volume resulting from the departure of the Spurs in 2002; and

WHEREAS, under the prior agreements, the Alamodome received a fifty (50%) percent commission of foreign transaction fees collected at each ATM, which was established at \$1.50, and the Alamodome received annual commissions in the amount of \$8,835 from Bank of America and \$4,506 from Security Service; and

WHEREAS, in December 2003, Asset Management and Alamodome staff issued a Request for Information ("RFI") to the public for the continued provision of ATMs at the Alamodome under the terms and conditions of the previous agreements and the RFI process yielded one non-responsive submission; and

WHEREAS, after negotiations between staff and Security Service, a three (3)-year agreement was negotiated, with one (1) three-year renewal option, incorporating the terms and conditions of the original agreement, except that the proposed agreement is for two (2) ATMs in the interior of the north plaza, it increases the foreign transaction fee increase to \$2.00, it provides that the Alamodome will receive a commission of \$0.50 per foreign transaction for withdrawals and advances only, it allows Security Service to display signage and it provides that internal telecom costs will be absorbed by the Alamodome and Security Service will be responsible for external telecom costs to support its ATMs; and

WHEREAS, in addition, Security Service will ensure the operation and timely repair of the ATMs prior to and during each event and offer priority scheduling of a mobile ATM for larger events; and

WHEREAS, it is anticipated that the proposed agreement will generate approximately \$11,250.00 for the initial term, depending on number of events and patrons; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The terms and conditions of a three (3)-year License Agreement with Security Service to provide the Alamodome with two (2) ATMs and signage in exchange for payment to the City of commissions on foreign transactions in the amount of \$0.50 per withdrawal or advance transaction, commencing October 1, 2004, and expiring September 30, 2007, with one three (3)-year renewal term, subject to City Council approval, are hereby authorized and approved.

SECTION 2. The City Manager or the City Manager's designee is authorized, for a period of sixty (60) days following the effective date of this Ordinance, to execute a License Agreement with Security Service. A copy of the License Agreement, previously executed by Security Service, is attached hereto and incorporated herein as Attachment I.

SECTION 3. The proceeds of this Agreement shall be deposited into Fund 29-006000 (Miscellaneous Special Revenue Fund), in Index Code 048553 entitled "ATM Machines Rental/Commission Dome."


SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance of the City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific index codes and fund numbers as necessary to carry out the purposes of this Ordinance.

SECTION 5. This Ordinance shall be effective on and after the tenth day after passage hereof.

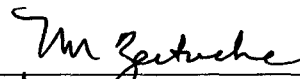
PASSED AND APPROVED this 30th day of September, 2004

ATTEST:


City Clerk


MAYOR
EDWARD D. GARZA

APPROVED AS TO FORM:


for City Attorney